

June 28, 2002

**IndianaChamber**  
OFFICE OF  
WATER MANAGEMENT  
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**The Voice of  
Indiana Business.**

#02-138(WPCB)[Mercury Variance]  
MaryAnn Stevens  
Rules Section  
Office of Water Quality  
Indiana Department of Environmental Management  
P. O. Box 6015  
Indianapolis, Indiana 46206-6015

Subject: Development of a New Rule Concerning Statewide Mercury Variance  
First Notice of Comment Period #02-138(WPCB)

Dear Ms. Stevens:

As requested by the First Notice of Comment Period that was published in the June 1, 2002 Indiana Register, this is to provide suggestions for the development of draft rule language as well as alternative ways to achieve the purpose of the rule.

First, the Chamber believes that no additional limits, monitoring or requirements should be imposed on those facilities that, based on monitoring or best professional judgment, can demonstrate that mercury is not added to any water discharge as a result of its operations.

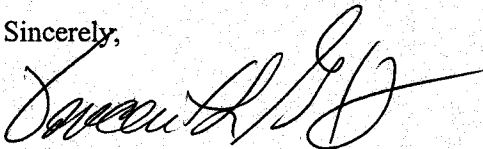
Second, incentives should be provided to encourage facilities, regardless of the potential for water discharges, to voluntarily seek reductions in the use of mercury in instruments and equipment. Incentives can be as simple as reduced monitoring costs but will go a long way in reducing the amount of mercury that can be introduced into the environment through spills or other unintended mishaps.

Finally, the variances should not automatically impose limits or treatment systems. The variance should be geared toward requiring management plans to reduce mercury usage and monitoring to evaluate efficacy.

Based on all of the current research of the sources of mercury it is clear that mercury usage throughout the United States, and possibly the world, is the domain that must be reduced. Indiana businesses should not be placed at a competitive disadvantage when such a position will not correct the entire problem.

Thank you for consideration of these comments.

Sincerely,



Vincent L. Griffin, REHS, MPA  
Vice President, Environmental & Energy Policy